

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

51

September 9, 2003

FROM: **DAVID H. SLAUGHTER**, Director
Real Estate Services Department

**SUBJECT: HOUSING LEASE AMENDMENT FOR COUNTY-OWNED PROPERTY IN THE
AGRICULTURAL PRESERVE IN THE CHINO AREA**

RECOMMENDATION: Approve Amendment No. 1 to Contract No. 00-1116 with Leonor Mendez and Maria Dolmatoff to extend the term from August 1, 2003 to July 31, 2008 for a two-acre residence in the Chino Agricultural Preserve in Chino for total revenue in the amount of \$42,420. (Four votes required)

BACKGROUND INFORMATION: Southern California Agricultural Land Foundation (SCALF), in accordance with Federal and State requirements and County Policy, has developed and implemented the County's Agricultural Open Space Land Acquisition and Post Acquisition Preservation program (the "Program"). The Board approved the Program within the Chino Agricultural Preserve (Ag Preserve) under the California Wildlife, Coastal and Parkland Conservation Act of 1988 and the Federal Agricultural Improvement and Reform Act of 1996. SCALF, which is located within the Ag Preserve and is uniquely qualified regarding federal, state, and county requirements, developed the County's post-acquisition program to integrate lease, leaseback, joint venture and property management activities within the acquisition process. To date, nine major acquisitions totaling 371 acres of program properties have been completed. The County, in cooperation with SCALF, also acquired fee title to an additional improved dairy of approximately 74.57 acres at 8315 Merrill Avenue in the Ag Preserve (the "Wiersema Dairy"), which is not part of the Program properties.

On May 18, 1993, utilizing Bond Act Funds, the County purchased a 36.77 acre dairy with three-single family residences from John and Henrietta Vander Schaaf for the sum of \$2,200,000. On May 18, 1993, the Board approved a lease (Contract No. 93-234) with David and Shirley Vander Schaaf for 34.77 acres, which includes the dairy and two of the three houses. The lease agreement terminates July 31, 2008.

The third house, situated on two acres and located at 13705 Bonview Avenue, has been under separate lease agreements since 1993. On October 31, 2000, the Board approved a lease (Contract No. 00-1116) for said residence to Leonor Mendes and Maria Dolmatoff for a one-year term from October 1, 2000 to September 30, 2001. The lease has continued on a month-to-month basis since its expiration.

Page 1 of 3

Record of Action of the Board of Supervisors

51

BOARD OF SUPERVISORS**HOUSING LEASE AMENDMENT FOR COUNTY-OWNED PROPERTY IN THE AGRICULTURAL PRESERVE IN THE CHINO AREA**

September 9, 2003

Page 2 of 3

51

The SCALF Board recommended to the Real Estate Services Department (RESA) that the term of the lease for this residence (Contract No. 00-1116) be extended to coincide with the term of the lease for the dairy (Contract No. 93-234). RESA concurs with SCALF's recommendation. The lease terms are summarized as follows:

Tenant: Leonor Mendes and Maria Dolmatoff

Residence address: 13705 Bon View Avenue, Chino

Leased premises: 62-year old home consisting of approximately 1,700 square feet on two acres of land

Term: Five years - August 1, 2003 to July 31, 2008

Options: None

		<u>Monthly Rent</u>	<u>Annual Rent</u>
Rent:	8/1/03 - 7/31/04	\$666	\$7,992
	8/1/04 - 7/31/05	\$686	\$8,232
	8/1/05 - 7/31/06	\$706	\$8,472
	8/1/06 - 7/31/07	\$727	\$8,724
	8/1/07 - 7/31/08	\$750	\$9,000

Annual increases: Approximately 3%

Improvements: Tenant to install County approved sprinkler system and to maintain and plant permanent pasture grass on approximately one acre. Improvements are to be completed to the satisfaction of the County no later than August 1, 2004.

Maintenance: Tenant is responsible for landscaping, sprinkler system, interior plumbing, appliance repair and minor electrical repairs; County is responsible for all other repairs.

Utilities: Provided by tenant except for trash removal to be provided by County.

Sublease provision: Tenant shall be allowed to sublease ten small animal pens at tenant's discretion throughout the term of the lease agreement.

Termination: County may terminate only if the terms of the lease are breached by tenant.

REVIEW BY OTHERS: This item has reviewed by County Counsel (Rex Hinesley, Chief Deputy County Counsel) on August 4, 2003 and the County Administrative Office (Daniel R. Kopp, Administrative Analyst) on August 27, 2003.

51

BOARD OF SUPERVISORS

**HOUSING LEASE AMENDMENT FOR COUNTY-OWNED PROPERTY IN THE
AGRICULTURAL PRESERVE IN THE CHINO AREA**

September 9, 2003

Page 3 of 3

51

FINANCIAL IMPACT: The total revenue for this five-year lease agreement is \$42,420. Rent revenue will be deposited in the Program special revenue fund (SIF INQ).

COST REDUCTION REVIEW: The County Administrative Office has reviewed this agenda item, concurs with RESD's proposal, and recommends this action based on the use of the property for residential purposes and as an income source to the Program. The lease will provide revenue to the Program starting at \$7,992 a year and aggregating to \$42,420 over the five-year term of the lease.

SUPERVISORIAL DISTRICT: Fourth

PRESENTER: David H. Slaughter, Director, 7-7813

SM 7-7905 bas 7-7830

51